

**ENTERED**

June 13, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

ANTONIO FLORES VERA,

Petitioner,

VS.

LORIE DAVIS,

Respondent.

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CIVIL NO. 2:17-CV-00246

**ORDER**

Before the Court is the April 24, 2018, Memorandum and Recommendation (“M&R”) of the Magistrate Judge to whom this case was referred, Dkt. No. 14, and Petitioner’s May 16, 2018, objection to the M&R, Dkt. No. 17.

The Court reviews objected-to portions of a Magistrate Judge’s proposed findings and recommendations de novo. 28 U.S.C. § 636(b)(1). Petitioner’s objection is frivolous, conclusory, general, or contains no arguments that the M&R has not already considered. *See* Dkt. Nos. 14, 17; *Battle v. United States Parole Comm’n*, 834 F.2d 419 (5th Cir. 1987) (determining that a district court need not consider frivolous, conclusive, or general objections). After independently reviewing the record and considering the applicable law, the Court **ADOPTS** the M&R in its entirety, Dkt. No. 14, and **OVERRULES** Petitioner’s objection, Dkt. No. 17.

The Court hereby:

- **GRANTS** Respondent’s Motion for Summary Judgment, Dkt. No. 10;
- **DISMISSES WITHOUT PREJUDICE** this action; and
- **DENIES** Petitioner a Certificate of Appealability.

The Court will direct entry of final judgment separately.

SIGNED this 13th day of June, 2018.



Hilda Tagle  
Senior United States District Judge